

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

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In Re: ) Case No. 19-30088-DM  
PG&E CORPORATION AND PACIFIC ) Chapter 11  
GAS AND ELECTRIC COMPANY, )  
Debtors. ) San Francisco, California  
 ) Friday, August 7, 2020  
 ) 9:30 AM  
 )  
STATUS CONFERENCE RE MOTION  
OF ELLIOTT MANAGEMENT  
CORPORATION FOR (I) ALLOWANCE  
AND PAYMENT OF ADMINISTRATIVE  
EXPENSE CLAIM AND (II) TO THE  
EXTENT NECESSARY,  
RECONSIDERATION AND RELIEF  
FROM THE CONFIRMATION ORDER  
PURSUANT TO FEDERAL RULE OF  
CIVIL PROCEDURE 60(B) [8536]

TRANSCRIPT OF PROCEEDINGS  
BEFORE THE HONORABLE DENNIS MONTALI  
UNITED STATES BANKRUPTCY JUDGE

APPEARANCES (Via Zoom):

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PG&E Corporation and Pacific Gas and Electric Company

1 SAN FRANCISCO, CALIFORNIA, FRIDAY, AUGUST 7, 2020, 10:04 AM

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3 (Call to order of the Court.)

4 THE CLERK: Court is now in session. The Honorable  
5 Dennis Montali presiding, the matter of PG&E Corporation. And  
6 I'm bringing in Mr. Karotkin now, and I'll bring in Mr. Slack  
7 shortly.

8 MR. KAROTKIN: Good morning, sir.

9 THE COURT: Good morning, Mr. Karotkin. We've been  
10 missing you out here.

11 MR. KAROTKIN: Yeah, well it's been a long time.

12 THE COURT: So come on back, bring some new business  
13 back, you know? You don't have to do them all in Delaware, and  
14 New York, and Texas.

15 MR. KAROTKIN: I know, well, we're trying, we're  
16 trying.

17 THE COURT: All right. Let's get the appearances.  
18 Good morning, Mr. Slack, but appearances from both counsel.

19 MR. KAROTKIN: Yes, Stephen Karotkin and Richard  
20 Slack, Weil, Gotshal & Manges, for the reorganized debtors.

21 THE COURT: And I don't know if we have an attorney in  
22 the participants from Ropes & Gray, so if you are attorney from  
23 Ropes & Gray appearing for Elliot today, please raise your hand  
24 so we can bring you into the courtroom.

25 THE CLERK: Your Honor, Keith Wofford is joining

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1 momentarily.

2 THE COURT: Wofford. Yes, okay. And how about Mr.  
3 Goldblatt?

4 THE CLERK: And --

5 THE COURT: Mr. Goldblatt, you're in the court, I  
6 presume -- would you please raise your hand also? Mr.  
7 Wofford --

8 THE CLERK: And also --

9 THE COURT: Yes, go ahead, Ms. Parada.

10 THE CLERK: And Mr. Gregg Galardi is also in  
11 attendance. I'll bring him in shortly.

12 THE COURT: All right. Mr. Wofford, good morning.  
13 Would you please state your appearance?

14 MR. WOFFORD: Your Honor, good morning, afternoon here  
15 on the east coast.

16 For the record, Keith Wofford from Ropes & Gray on  
17 behalf of Elliot Investment Management, and my colleague Gregg  
18 Galardi is with us, I believe today also, and he'll be speaking  
19 momentarily.

20 MR. GALARDI: Yes, Your Honor. I'm having a little --

21 THE COURT: All right. Mr. Galardi?

22 MR. GALARDI: Your Honor, it's Gregg Galardi on behalf  
23 of Ropes & Gray for the Elliot Management.

24 THE COURT: All right.

25 MR. GOLDBLATT: And Your Honor?

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1 THE COURT: Yes, sir, Mr. Goldblatt?

2 MR. GOLDBLATT: So this is Craig Goldblatt. Actually  
3 my colleague, and partner, Phil Anker is taking the lead in  
4 today's hearing, so I don't know if Ms. Parada could bring him  
5 into the room. That would be very helpful if she could, though  
6 it is good to see everyone.

7 THE COURT: Do you have him on the call, Ms. Parada?  
8 Yes, all right.

9 THE CLERK: Yes, Your Honor. He's joining now.

10 THE COURT: Mr. Galardi, you need to unmute yourself.  
11 Mr. Galardi --

12 MR. GALARDI: I did, Your Honor.

13 THE COURT: -- you need to unmute your microphone.  
14 There you go. All right.

15 And Mr. Anker?

16 MR. ANKER: Good morning. Good afternoon from the  
17 east coast, Your Honor. Philip Anker, Wilmer Cutler Pickering  
18 Hale and Dorr, for funds managed by or accounts managed by  
19 Canyon, Citadel, Varde, Davidson Kempner, Sculptor and I may  
20 have left one out, and if so I apologize to them and to Your  
21 Honor.

22 THE COURT: That's all right. And their name's on the  
23 papers. Are you going to activate your camera, or do you want  
24 to stay anonymous?

25 MR. ANKER: No. Well, I've now activated my camera.

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1 I'm not sure whether that was a wise move on my part, or an  
2 unwise.

3 THE COURT: Mr. Slack, are you taking the lead today?

4 MR. SLACK: I am, Your Honor.

5 THE COURT: Mr. Slack?

6 MR. SLACK: Can you hear me, Your Honor?

7 THE COURT: Before you do, there was a late filing --  
8 yes -- there was a late filing yesterday by another creditor.  
9 Do you know who I am referring to?

10 MR. SLACK: I believe PIMCO filed a joinder that I  
11 just saw this morning.

12 THE COURT: All right. All right. Is there any  
13 counsel participating from PIMCO? Just raise your hand if  
14 that's you. Is that Mr. Simonds? Are you --

15 Ms. Parada, do you have Mr. Simonds on the list?

16 THE CLERK: Yes, Your Honor. I'll bring him in  
17 shortly.

18 THE COURT: And is there a party named -- I can't read  
19 the name, Hefter or Heff -- there's a gentleman who, or a  
20 person, I don't know who he is, there's a hand up for one other  
21 party. Do you recognize that name, Mr. Slack, that -- Hefter?

22 MR. SLACK: I don't, Your Honor.

23 MR. SIMONDS: Yes.

24 THE COURT: All right.

25 MR. SIMONDS: He --

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1 THE COURT: Mr. Simonds, are you appearing?

2 MR. SIMONDS: I am, Your Honor, and Michael Hefter is  
3 my partner, joining as well --

4 THE COURT: All right. Would you let --

5 MR. SIMONDS: -- on that.

6 THE COURT: Ms. Parada, bring Mr. Hefter in and then  
7 I'll go two those counsel to state their appearances, and then  
8 we'll proceed.

9 All right. Mr. Hefter, can you state your appearance  
10 please?

11 MR. HEFTER: Michael Hefter, Your Honor, from Hogan  
12 Lovells US LLP, on behalf of Pacific Investment Management  
13 Company, LLC.

14 THE COURT: All right. Mr. Slack, I wasn't sure that  
15 we'd have this hearing. I thought you would take me up on  
16 invitation to meet your opponents and work something out, but  
17 here we are. So the floor is yours.

18 MR. SLACK: So thank you, Your Honor. Richard Slack,  
19 Weil, Gotshal & Manges for the reorganized debtors, and I have  
20 good news because we have, in fact, worked just about  
21 everything out, and have a proposal for -- an approach, and a  
22 schedule for you, and to be clear, we haven't had an  
23 opportunity to talk to PIMCO's counsel, since we just saw that  
24 this morning, but we have spoken with counsel for the other  
25 noteholders, including Elliot and the joinders, and again,

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1 believe we have an approach and a schedule for you.

2 So let me present that, which is we believe that this  
3 is a case that can be resolved based on dispositive motions  
4 that go to the face of the pleadings, and so what we've  
5 proposed was that we would file an objection that went to  
6 those, what we'll call, initial or facial defenses, largely  
7 legal issues, and we have a schedule for resolving those, and  
8 that the parties agreed with respect to that.

9 I think we've lost the judge, so I'm stopping.

10 THE CLERK: One moment, counsel. I'll try and check  
11 in with Judge Montali.

12 MR. SLACK: Your Honor, but I'll start -- I think  
13 we -- I just go started.

14 THE COURT: You started, yeah (audio interference).

15 MR. SLACK: Your Honor, are you there? Did you --  
16 you're frozen on my screen.

17 THE COURT: Yeah.

18 MR. SLACK: Okay.

19 THE COURT: For the record, I (audio interference).

20 MR. SLACK: All right. So, here, let me -- let me  
21 start, Your Honor, by saying that we have consulted with  
22 counsel for Elliot and the other noteholders. We didn't get a  
23 chance to speak to PIMCO because their joinder just came in,  
24 though I understand that they've had some communications and  
25 are generally agreeable to the approach and the schedule that



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1 we've worked out with the other movants.

2 And the approach, Your Honor, is that the debtors  
3 believe that there are dispositive motions, essentially on the  
4 face of the motion itself, dispositive defenses, and we propose  
5 raising those in an objection that would get litigated up-  
6 front. We have a schedule to do that. The parties have agreed  
7 that depending on Your Honor's ruling with respect to those  
8 sort of facial or dispositive issues, that then we would have  
9 discovery on the merits, and we'd come back to Your Honor with  
10 a schedule for resolving those, and the reorganized debtors  
11 would obviously reserve their rights to raise other objections  
12 based on the merits at that time.

13 So the schedule we've worked out, Your Honor, is as  
14 follows, that PG&E would file an objection on Wednesday, August  
15 26th, that Elliot and the other movants' response to that  
16 objection would be Monday, September 14th, that PG&E would get  
17 a reply on Friday, September 25th, and then all of the parties  
18 agree to ask Your Honor for a hearing as soon as you can give  
19 it to us after that date, consistent with Your Honor having the  
20 time to review and prepare.

21 THE COURT: (Audio interference) you hope to do  
22 anything for several months, but probably be able to do it in  
23 several days. But Mr. Slack, are you (audio interference).

24 MR. KAROTKIN: Your Honor, you're frozen.

25 MR. SLACK: Yeah, I'm sorry, Your Honor, you're in and

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out, and I did not hear what your comment was, what your  
question was.

THE COURT: Can you hear me?

MR. SLACK: I heard that but I didn't hear whatever  
came before it, Your Honor.

THE COURT: Okay. You know, I had everything working  
before.

No, I said what if you -- we're into the schedule,  
which sounds fine to me, but then someone else joins, and does  
a me too with the -- with Elliot and the others that took the  
lead.

MR. SLACK: So what we want to ask Your Honor for is  
an order at least to -- for anybody who is going to join, to do  
that by August 10th, which is Monday, which would allow the  
reorganized debtors the opportunity to look at whatever joinder  
is filed, and make it part of our objection, so that we could  
deal with this efficiently in one set of papers.

THE COURT: Okay. Well, let's come back to that in a  
minute because the gentlemen who are on the call have already  
joined. So shall I assume that all of you -- well, maybe  
Mr. -- the newcomers, Mr. Anker -- or Hefter, rather, you I  
guess were not party to this discussion but do you have any  
problem with the schedule Mr. Slack outlined?

MR. HEFTER: Your Honor, this is Michael Hefter, for  
the record.

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1 I did have communications with Mr. Galardi and Mr.  
2 Anker prior to this conference, and we are in general agreement  
3 with the approach that's been outlined by Mr. Slack and  
4 seemingly agreed to by the others on our side.

5 THE COURT: Okay. So if I got it right, and again I  
6 apologize for the hang-ups here, PG&E will file a motion, or  
7 whatever we call it, but I presume it's the equivalent of a  
8 summary judgment or a motion to dismiss. I mean, this is an  
9 adversary -- I mean, it's a contested matter in an  
10 administrative claim, it's -- so we all know what we're talking  
11 about, and Elliot, et al., all the other side, will reply on or  
12 respond on September 14. PG&E will reply on September 25th,  
13 and I'll give you a date here shortly thereafter for oral  
14 argument. That's fine with me.

15 My only -- Mr. Slack, I'm a little hesitant to issue  
16 something on the 7th that gives people until Monday to join. I  
17 think I'm inclined to add a few more days to that, but that  
18 shouldn't make a difference because -- well, I don't -- I mean,  
19 I realize that if you get somebody late, you might have to  
20 supplement your motion, but I assume your motion, if it's  
21 addressed to the three parties that have joined forces here,  
22 it's going to apply with equal force to anyone else. So --

23 MR. KAROTKIN: Your Honor? Your Honor, could I ask  
24 you a question and maybe --

25 THE COURT: Sure.

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1 MR. KAROTKIN: -- we can get a little -- and Mr.  
2 Galardi, perhaps, can help me because I don't recall off the  
3 top of my head, but under the noteholder RSA, I believe to the  
4 extent that there is a claim here, there are a limited number  
5 of "consenting" noteholders that would even have the right to  
6 assert this claim, and I just don't know off the top of my  
7 head, and I'm sure Mr. Anker and Mr. Galardi could help,  
8 whether taking into account all the joinders in Elliot and  
9 PIMCO, that covers the universe of those particular parties.

10 THE COURT: Well, Mr. Galardi, do you know or --

11 MR. GALARDI: Your Honor, I think it is thirteen or  
12 fourteen. I count two on this call, and Mr. Anker knows his  
13 number better than I do, but I think the total universe is  
14 thirteen or fourteen.

15 THE COURT: Oh, okay.

16 MR. ANKER: Your Honor, this is Mr. Anker. If it's  
17 helpful to the Court, I think Mr. Galardi is right, that there  
18 were thirteen, maybe it's fourteen, sets of noteholders under  
19 the RSA. We represent six. Mr. Galardi represents one, Mr.  
20 Hefter represents one, that gets us to eight. So there are  
21 five or six not represented by counsel on this hearing -- at  
22 this hearing.

23 THE COURT: But you know who they are, right? I mean,  
24 they're --

25 MR. KAROTKIN: Correct, I --

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1 THE COURT: -- we could do this.

2 MR. GALARDI: Correct, Your Honor. I think the debtor  
3 could give notice to them of a deadline that would set  
4 something in the early of next week. I do agree that Monday is  
5 probably early, but I think they probably know about it. They  
6 could probably get notice of a deadline, and make their  
7 decision. We have no objection to that.

8 THE COURT: Yeah, Mr. Karotkin, I realize from your  
9 comments that this may not be something you're going to be  
10 leading on, but since you raised the question, and I'm glad you  
11 did, I didn't know if the universe was fifty or one. I just  
12 didn't go back and take the time to count on it.

13 But it would seem to me that given the statements that  
14 these parties are identifiable, I could issue an order today, I  
15 guess, that says that if you intend to join the Elliot motion,  
16 you need to do it by X date, and I'm thinking about maybe one  
17 week out. I don't know what the legal ramifications would be  
18 of someone who doesn't do it. I don't know whether under the  
19 documents or under applicable law, I could suddenly create some  
20 sort of a permanent bar, but I'm willing to -- I mean  
21 obviously, there was quite a response from a short and small  
22 list of people because you're all here.

23 Mr. Slack, is that -- does that make sense?

24 MR. SLACK: It does Your Honor, and I -- look, my  
25 expectation is anybody who joins is going to do it in the same

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1 fashion that the parties that have joined this one are joined,  
2 and if that's the case, we expect that the issues we're going  
3 to raise are going to be the exact same with respect to, at  
4 least in this initial motion, the exact same with respect to  
5 each of the parties.

6 THE COURT: Well, let's do this. Again, I'll think  
7 out loud and I'll listen to anybody who is opposed, but if  
8 somebody could get me an order today, that's fine, but if not,  
9 Monday, and I would issue an order that identifies them. You  
10 gentlemen have to help me identify them but indicate that based  
11 upon the matters discussed at this hearing, the following is a  
12 schedule for the disposition or at least preliminary  
13 disposition of this issue, and then name them, one, two, three,  
14 four, five, six. If they wish to join, they must do so by, and  
15 then I'll say seven days, and I will -- I don't have to put  
16 this in an order, but I'll say that if PG&E needs to supplement  
17 its motion in some way after the 26th, because of something  
18 raised by a late arrival, I'll certainly be open to that, and  
19 then I would add also that I don't want five different briefs.  
20 I want the respondents to meet and confer, and try to be  
21 economical about their response. I'm not going to say that  
22 Elliot and PIMCO or Mr. Goldblatt's clients, I can't remember  
23 the names, that they have to file all one brief, but they have  
24 to at least put their heads together, so they don't give me  
25 five briefs that say the same thing.

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1 And Ms. Parada, can you give me a date on --

2 MR. GALARDI: Your Honor, may I do one thing before we  
3 go onto the dates for the hearing, just to make one  
4 qualification?

5 THE COURT: Yes, sir.

6 MR. GALARDI: Mr. Slack --

7 THE COURT: And Mr. Galardi, Mr. Galardi, just state  
8 your name again when you --

9 MR. GALARDI: Surely. It's Gregg Galardi of Ropes &  
10 Gray on behalf of Elliot.

11 One thing that I wanted Your Honor to be aware of, and  
12 I think this is not a today issue, but it is something that I  
13 think Mr. Slack mentioned, we have served discovery, but we  
14 have agreed to stay our discovery pending, not the outcome of  
15 this proceeding, but pending the response that we receive from  
16 the debtors. We believe, like a claims objection, we could  
17 proceed once they have responded.

18 We have agreed to meet and confer with Mr. Slack,  
19 obviously, regarding the scope of that discovery at that time,  
20 but I didn't want it to be thought that by agreeing to this  
21 schedule, we would not be wanting to proceed forward with  
22 discovery, depending upon the issues raised, since we haven't  
23 seen it, or as you said, it may be a summary judgment, it may  
24 be a motion to dismiss, we will meet and confer. Hopefully, we  
25 don't have to come back to the Court, but I didn't want there

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1 to be a suggestion that this was a process that there would be  
2 no discovery until Your Honor rules.

3 THE COURT: Well, I think we can solve that problem by  
4 this order that we'll be issuing immediately, and promptly,  
5 will say that there's a stay of discovery pending disposition  
6 of this first round of the motions, whatever we call it. As I  
7 say, we bankruptcy lawyers have our own little terminology, but  
8 it's a traditional motion to dismiss summary judgment type  
9 matter.

10 MR. GALARDI: But Your Honor, I think that's actually  
11 procedurally not actually the way it will work, and if Your  
12 Honor is going to order that, there is in a claims process,  
13 7012 does not apply, there may be a summary judgment. We would  
14 have the right with respect to summary judgment and with  
15 respect to 60(d) if that is where they go to take discovery  
16 upon their filing of an objection. I believe they would have  
17 the burden to come back and say why that discovery is not  
18 permitted. Merely filing a motion to dismiss doesn't stay  
19 discovery.

20 Now I'm not saying we can't work that out, but I'm  
21 not -- I do believe that at the point of their filing a  
22 response, like to a complaint, that doesn't automatically stay  
23 discovery.

24 THE COURT: Well, I didn't go back and look at the  
25 rules today because I didn't know what we were going to talk



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1 about today. So what do we call this motion?

2 MR. GALARDI: We've actually been wrestling with that,  
3 with the -- with PG&E, Your Honor, and that's why I wanted to  
4 raise because --

5 THE COURT: Okay.

6 MR. GALARDI: -- I'm not sure what they're going to  
7 call it, and that was actually the point that we agreed to  
8 stand down on our discovery till we see what it is they file,  
9 and under what rules they file.

10 THE COURT: Okay, fair enough, but even if it -- we  
11 don't have a name for it functionally, it's like a motion to  
12 dismiss. The administrative claim that Elliot has filed, the  
13 debtor says I can beat it on the papers. That's a motion to  
14 dismiss, or a motion for a judgment on the pleadings, or  
15 something in a more traditional term.

16 I'm not -- I don't want to get bogged down on whether  
17 Rule 12 or Rule 56 apply or not apply, we have the procedures  
18 in place, and I agree, I think it's very constructive that you  
19 and the debtors have agreed to not do discovery now, and that's  
20 fine. All I want to do is implement the same procedure.

21 MR. SLACK: Your Honor, and you're -- Richard Slack  
22 for the reorganized debtor -- you're exactly right, and I  
23 just -- to be clear, because we did have a discussion about the  
24 discovery, and what we agreed to was there clearly would not be  
25 discovery on the -- what I will call the underlying merits

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1 issues at this time, and the reservation that Mr. Galardi made  
2 to me before this hearing, and I think as he's voicing today,  
3 is that if there -- if he believes after looking at our motion,  
4 which we believe is going to be directed to the face of their  
5 pleading and the legal issues, but if he believes that there's  
6 discovery that's appropriate, tailored directly to our motion,  
7 as opposed to the underlying merits, we're going to have a  
8 conversation about that, and we've agreed to do that, and we  
9 might be back to the Court if there's a disagreement about it.

10 THE COURT: That's right, and consistent with my  
11 practice generally, if Mr. Galardi calls you up and says I  
12 think I get to take the deposition of somebody, and you say I  
13 don't agree, we'll have a quick discovery about it, but I would  
14 think that if we're drawing the equivalent to the motion to  
15 dismiss, or more precisely, motion for judgment on the  
16 pleadings, it seems like there probably aren't going to be  
17 material facts in dispute, but we'll deal with that later. I  
18 agree with you.

19 MR. SLACK: Thank you, Your Honor.

20 THE COURT: So again, let me go back to what I  
21 would -- Mr. Galardi asked that question --

22 MR. ANKER: Your Honor, this is Mr. Anker --

23 THE COURT: Wait one second.

24 MR. ANKER: -- if I might be heard.

25 THE COURT: One second, Mr. Anker.

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1 Ms. Parada, what is on our schedule? Do we have a  
2 PG&E date a week or so after the 25th of September?

3 THE CLERK: Your Honor, October 13th is available.

4 THE COURT: Okay.

5 THE CLERK: That's a regular PG&E omnibus date.

6 THE COURT: Okay. Mr. Anker, you -- I haven't set  
7 that.

8 Go ahead, Mr. Anker, with your question -- your  
9 comment.

10 MR. ANKER: Your Honor, everything you've said sounds  
11 fine, and consistent. I simply was going to underscore, we  
12 have agreed to this procedure, and I'm sure Your Honor is happy  
13 the parties have agreed, as an accommodation of the debtors.  
14 When I hear the debtors say they will largely raise legal  
15 issues, that causes my ears to perk up as to whether they are  
16 going to raise fact issues, and if they do, we either will be  
17 back before you seeking discovery, or saying this isn't an  
18 argument purely that goes to the legal issues, like the effect  
19 of a plan, and therefore, their preliminary motion, whether one  
20 calls it a motion to dismiss, or motion for judgment on the  
21 pleadings, needs to be denied, and we need to move to the next  
22 phase.

23 I will deal with that when it comes up, but I do hope  
24 that this will be a motion directed to the law, not to the  
25 facts, and certainly not the facts that I suspect are hotly

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1 disputed between the parties, and that it comes to no surprise,  
2 we don't think that this can be decided on the law, but we're  
3 happy to let the debtor take a shot at it, and proceed  
4 thereafter.

5 Thank you, Your Honor.

6 MR. KAROTKIN: Your Honor --

7 THE COURT: Mr. Anker -- wait one second. Mr. Anker,  
8 you're not familiar with my procedures, and I obviously  
9 discourage summary judgment type motion with -- when a lawyer  
10 says I want to make a motion for summary judgment, but I'm  
11 going to take some discovery first, I usually say well, then  
12 don't make your motion for summary judgment.

13 So I'll tell Mr. Slack the obvious, don't make your  
14 motion to throw this thing out if it depends upon a material  
15 fact in dispute.

16 MR. ANKER: Thank you, Your Honor.

17 MR. KAROTKIN: Your Honor?

18 THE COURT: Mr. Karotkin?

19 MR. KAROTKIN: Your Honor -- yeah, Mr. Karotkin for  
20 the reorganized debtors.

21 Just so it's clear, our response will be based on the  
22 law and the undisputed facts. And I want to thank Mr. Anker  
23 for accommodating us. Frankly, he wasn't involved in the  
24 discussions until yesterday. We worked with Mr. Galardi to  
25 work out this schedule, and I think it's an accommodation to

PG&E Corporation and Pacific Gas and Electric Company

1 all of the parties, and to the Court.

2 THE COURT: Okay. But I want to go to my point. I  
3 still think in view of this discussion, I'm not comfortable  
4 slamming something down the throat of people who aren't even on  
5 this call. So at least, there's got to be seven days' notice,  
6 and Mr. Slack, I'm going to give you the lead assignment here,  
7 and maybe rushing an order today is not the right thing to do.  
8 You've got several experienced counsel, and I want them to be  
9 participating with you in getting that order done, and we can  
10 get it done.

11 As I say, I'll repeat, if for some reason some late  
12 arriver to the party raises something that squeezes PG&E on its  
13 August 26th commitment, I'll give it more time to do that, and  
14 we'll work around that.

15 Now is the 13th of October convenient for all of you,  
16 or at least the persons who will be presumably arguing the  
17 case? Anybody have a problem with that? We haven't picked a  
18 time, but presumably it will be in the morning like this, and  
19 I'll make sure my Zoom machine is working correctly. That date  
20 good? Any objection?

21 UNIDENTIFIED SPEAKER: No objection, Your Honor.

22 THE COURT: Why don't I say if any -- do any of you  
23 have an objection to that date?

24 MR. GALARDI: Your Honor, again it's your omnibus, and  
25 your calendar. If there were a date before that, we'd

PG&E Corporation and Pacific Gas and Electric Company  
1 certainly appreciate it, but the 13th is clear for me.

2 THE COURT: Well, I already made my speech about I  
3 don't want five briefs, but based upon the amount of paperwork,  
4 I can't imagine that it's going to be something I can do  
5 overnight. I tend to read what people give me.

6 MR. GALARDI: Understood. I've watched you many times  
7 read, and show your mastery of the pleadings. So I'm not  
8 trying to do otherwise.

9 THE COURT: But I'm not locked into October 13th. I  
10 was joking. I'm not very busy, that's why I invited Mr.  
11 Karotkin to bring his gang back for another mega case for me  
12 today. It's very lonely.

13 MR. GALARDI: Well, we'd love him to bring it back in  
14 the early or first week or so of October if Your Honor was  
15 somewhere in the -- by the 6th if possible. Again, I don't  
16 want Your Honor to have to read more than you have to read. We  
17 will cooperate. It is really a reply on the 25th of September.  
18 So if there was a day, and we didn't have to put it on an  
19 omnibus date, I would ask if you could do that.

20 THE COURT: You know what? I'll tell you what I'm  
21 going to do. For now, I'm going to tentatively call it --  
22 stick with the 13th. Later in the day, I may talk to my  
23 courtroom deputy, Ms. Parada, and we do have a couple of other  
24 things coming up. I've got a mediation, and a couple day trial  
25 coming up, and I just want to make sure this will fit. So for

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1 these purposes, let's call it the 13th.

2 Mr. Slack, can you then take the lead and do the order  
3 that will not only lay out what we've all discussed, but make  
4 it clear for any latecomers that they have to be involved and  
5 follow this procedure, as well.

6 MR. SLACK: We'll do that, Your Honor. And just to be  
7 clear, we're going to submit the order, obviously, as soon as  
8 we can, and you want the date for the joinders to be a week  
9 from today, correct?

10 THE COURT: No, I think what I would like to be is a  
11 week from the day of the order. So if you get it all done  
12 today, and I sign an order, it goes on the electronic docket  
13 today, I'll stick with my week. If it doesn't happen till the  
14 weekend, or more likely Monday or Tuesday, the same. Again, I  
15 just don't want to ram something down the throat of someone who  
16 is a stranger to this procedure, and has a right to be  
17 involved.

18 It sounds to me like that's not going to happen, but  
19 I -- listen, I'd rather have -- do it that way, than have to  
20 start all over again with somebody else at a later hearing.

21 Okay. Anybody want to raise anything else? All  
22 right. Well, thank you for working these details out. Let me  
23 just take a quick check to -- just a moment, just look at one  
24 thing on my screen here. Hold on.

25 Okay. Ms. Parada, is there anything else we need to

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1 deal with with these folks?

2 THE CLERK: No, Your Honor, just what time would the  
3 hearing be on the 13th? We normally set this at 10 a.m. Would  
4 you like to start earlier?

5 THE COURT: Yeah. Yeah, no, 10 a.m. Well again,  
6 unless some of the east coast lawyers want to do it a different  
7 time. Well, that's 1 o'clock for them. All right. 10 o'clock  
8 our time, October 13th. Thank you for your time. I look  
9 forward to seeing the papers.

10 IN UNISON: Thank you, Your Honor.

11 THE COURT: And I want to leave with one more thing,  
12 One more thing, I do want to make sure that, again, mostly the  
13 Ropes & Gray lawyers, or other lawyers who haven't been active  
14 with me face-to-face, I'm not insisting that everything go into  
15 one brief. I'm just insisting that you experienced counsel put  
16 your heads together so I don't have to reinvent the wheel  
17 multiple times. Okay.

18 IN UNISON: Understood, Your Honor.

19 THE COURT: Thanks for your time. Thank you.

20 IN UNISON: Thank you.

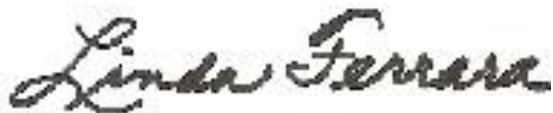
21 THE COURT: Thank you.

22 (Whereupon these proceedings were concluded at 10:34 AM)



## C E R T I F I C A T I O N

I, Linda Ferrara, certify that the foregoing transcript is a true and accurate record of the proceedings.



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/s/ LINDA FERRARA, CET-656

eScribers

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Date: August 10, 2020

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